

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

FILED

FEB 04 2019

Clerk, U.S. District Court
District Of Montana
Missoula

LSF8 MASTER PARTICIPATION
TRUST,

CV 19-11-M-DWM

Plaintiff/Counter-
Defendant,

ORDER

vs.

JOHN P. STOKES, PAMELA
STOKES, and ANY PERSON IN
POSSESSION,

Defendants/
Counter-Claimants.

On January 14, 2019, Defendants John P. Stokes and Pamela Stokes (collectively “the Stokes”) improvidently removed this action from Lake County District Court, invoking this Court’s federal question jurisdiction. (Doc. 1.) On January 31, 2019, this case was remanded back to the state court for lack of subject matter jurisdiction. (Doc. 14); *see* 28 U.S.C. §§ 1441, 1447(c). On February 1, 2019, the Stokes filed a Notice of Appeal, (Doc. 15), and a Motion for Permission to Proceed in Forma Pauperis, (Doc. 16).

Generally, “[a]n order remanding a case to the State court from which it was removed is not reviewable on appeal or otherwise.” 28 U.S.C. § 1447(d). Accordingly, IT IS ORDERED that leave to proceed in forma pauperis is DENIED

and the Court CERTIFIES that the appeal is not taken in good faith. 28 U.S.C.

§ 1915(a)(3). No further filings will be accepted in this closed case.

DATED this 4th day of February, 2019.



Donald W. Molloy, District Judge
United States District Court